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17.2.2000

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 1ST DAY OF APRIL 1998

BEFORE

THE HON'BLE MR. JUSTICE H.N.NARAYAN

CIVIL REVISION PETITION No.919/1998

Sri. L.K. Aswathanarayan Shetty,

s/o. late Srikantiah Shetty,

Aged 74 years,

Vokkaleri Village,

and Hobli, Kolar Taluk

and District.

:PETITIONER

(BY Sri. J.G. Chandra Mohan, Adv.)

-VS-

Sri. B. Krishnappa,

s/o. late Thammanna @ Bychappa,

Aged 63 years,

Vokkaleri village and Hobli,

Kolar Taluk and Dist.

:RESPONDENT

(BY ~~X~~ M/s. K.Raghavendra Rao, Adv.)

Civil Revision Petition is filed U/s-115
of CPC against the order dated 28.2.1998

passed in O.S.No.391/1992 on the file of the
Prl. Civil Judge, (Jr.Dn.), Kolar.

This C.R.P. coming on for Admission this
day, the court made the following:

ORDER

This Matter coming on for further orders,
it is taken up for final disposal and disposed
of by this order.

The defendant has filed an application
for appointment of a Commissioner to make local
investigation and to submit a report regarding
the age of the coconut trees standing on either
side of the disputed ridge. It is not stated
whether the age of the coconut trees is material
for the decision of the suit. It is a suit
for de-claration and injunction wherein the
plaintiff and defendant claim different extents
of lands which has to be adjudicated by the trial
court. Appointment of the Commissioner will
not assist either the parties nor the court
in any manner. The trial court has rightly

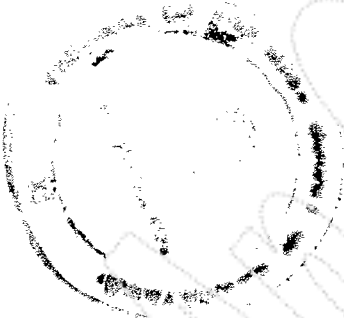
rejected the application. Therefore, there is no ground for interference. Revision is, therefore, rejected.

Sd/-

JUDGE

MVT

R.BY: MS C.BY: MS



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

5/1/14

